

REMARKS

In a final office action dated 28 May 2004, the Examiner rejects claims 1-8 (all pending claims). In response to the Final Office Action, Applicants cancel claims 1-8, add claim 9 and respectfully traverse the rejection. Claims 9 (all pending claims) remains in the Application. In light of the following arguments, Applicants respectfully request that claim 9 and the Application be allowed.

In the office action, the Examiner rejects claim 1 as being unpatenable under 35 U.S.C. §103(a) over U.S. Patent Number 6,052,687 issued to Miura et al (Miura) in view of U.S. Patent Number 6,052,687 issued to Lindsay et al (Lindsay). In order to maintain a rejection the Examiner has the burden of providing evidence of prima facie obviousness. See MPEP §2143. See also In Re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). In order to prove prima facie obviousness, the Examiner must provide evidence in the prior art of a motivation to combine or modify a reference, a reasonable expectation of success, and a teaching of each and every claimed element. *Id.* The Examiner has failed to provide a teaching of each and every element of the claims and a proper motivation to combine the references.

This rejection is moot in light that claims 1-8 are canceled. Applicant has submitted claim 9 that overcomes the art cited. Claim 9 recites a method in which the number of ancestors are used to mark the instances of each table in the hierarchal representation of the database. Claim 9 provides a method in which least number of look-ups of a table are used by marking all single instance table and ancestors, then multi-dimensional tables, then one dimensional tables. This is different in that Miura or Lindsay mark or select each input table and its ancestors sequentially. Claim 9 does this by generating a list of the table of various dimensions and starting with the multi-dimension table marks instances removing marked tables from other lists as an instance of the table is marked. Thus, as the method proceeds to the one-dimensional table, only instances of unmarked tables remaining in the unprocessed list must be evaluated. Thus, claim 9 is new and novel over the existing art.

If the Examiner has any questions regarding this response or the Application in general. The Examiner is invited to telephone the undersigned at 775-586-9500.

Respectfully submitted,
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A handwritten signature in black ink, appearing to read 'W. Wilbar', is written over the printed name.

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